

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WESTERN TEXAS  
DEL RIO DIVISION

LUIS FELIPE RODRIGUEZ  
PETITIONER

V.

UNITED STATES OF AMERICA  
RESPONDENTS

CASE NO.2:14-cr-00139-AM-1  
MOTION PURSUANT TO ADDENDUM  
OF 28 U.S.C.2255 MOTION  
FOR GOOD CAUSE IN THE  
INTEREST OF JUSTICE

MOTION

COMES NOW PRO SE PETITIONER and request that this court hold his pro se brief to a less stringent standard than one prepared and filed by a seasoned lawyer. See Thomas v. Eby, 841 U.S. 434, 440 (6th Cir. 2007); Haines v. Kerner, 404 U.S. 519-21 (1972). In support of the present grounds for relief movant asserts the following.

CASE HISTORY

Petitioner Luis Felipe Rodriguez was sentenced to life imprisonment for distribution of 5 Kilograms or more of cocaine and conspiracy in violation of 841, 851 of the controlled dangerous substance titles 21 U.S.C. 841 & 21 U.S.C. 851, in a trial by jury.

(I)

STANDARD OF REVIEW

A prisoner in custody of the district court claiming the right to be released upon the ground (1) that the sentence was imposed in violation of the laws of the United States Constitution or the laws of the district of Texas (2) the court without jurisdiction to impose the sentence (3) the sentence was in excess of the maximum authorized by law (4) the sentence is otherwise subject to collateral attack may

*Cover page*

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move the court to vacate, set aside, or correct the sentence.

STANDARD OF REVIEW  
INEFFECTIVE ASSISTANCE OF COUNSEL  
CLAIMS FOR RELIEF

The Sixth Amendment right to counsel "attaches" with the filing of formal criminal charges, and extends to all "critical stages" of the proceedings. Moran v. Burbine, 475 U.S. 412 (1986); Michigan v. Jackson, 475 U.S. 625, 629 n.3 (1986); Scott v. Illinois, 440 U.S. 367 (1979); Coleman v. Alabama, 399 U.S. 1 (1970); Dew v. United States, 558 A.2d 1112, 1113-18 (Ct. 1989); Strickland v. Washington, 466 U.S. 686 (1984) (quoting McMann v. Richardson, 397 U.S. 759, 771 n.14 (1970)).

CLAIMS FOR RELIEF

1. Counsel failed to protect petitioner against conviction for in sufficient evidence of the charged offenses. See Strickland v. Washington, 466 U.S. 688, 690 (1984); And proof beyond a reasonable doubt instruction to the jury that protects the accused against conviction except upon proof beyond a reasonable doubt. Due process Clause protects the accused. Francis v. Franklin (1985); In re Winship (1970). That in Simpson v. Matesanz, 29 F.Supp.2d 11 (D. Mass. 1998) the instruction stated that the jury must be sure of defendant's guilt to a "moral certainty" of same degree jurors used to make "decisions" of importance" in their own lives, and stated that jurors should give defendant BENEFIT OF THE DOUBT if they had any "serious unanswered questions" about his guilt. The defective reasonable doubt jury instruction was held to be a structural defect "which defies analysis by 'harmless error'" and required granting federal habeas corpus relief.
2. Counsel ineffective for not adversely challenging the government's case. The drug quantities, qualities of supposed seized drugs. Chain of custody, chain of evidence of specified amounts of drugs. See United States v. Noel, 708 F.Supp. 177 (W.D. Tenn. 1989). That defendant shall be provided an opportunity to test and analyze the alleged controlled substance by a qualified, independent expert selected by the defendant. Id. The Noel Court .... noting the gravamen of the indictment against the defendant rested upon the alleged drug being a narcotic

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within the provisions of the United States Code held that the defendant was entitled to, have an independent test performed on the alleged narcotic. Furthermore the district court admonished that the defendant should not be limited to cross-examination of the government's expert on such a pivotal determinative fact."Id..

3. Counsel ineffective for not reviewing police lab reports.

See Torro v. Fairman, 940 F.2d. 1065(7th Cir.1991); Tucker v. Duncan, 158 F.3d 449(9th Cir. 1998) U.S. v. Myers, 892 F.2d 642 (7th Cir.1990); Goodwin v. Balkoem 684 F.2d 794 (11th Cir.1982).

4. Counsel failed to request acquittal after trial rule 29. See Strickland v. Washington, 466 U.S. 688, 690(1984); Jimenez v. U.S. 258 F.3d 1069(9th Cir.2001)(U.S.v.Cruz, 127 F.3d 791, 795(9th Cir.1997)).

5. Counsel failed to challenge the cell phone usage that initiated the investigation into the drug conspiracy petitioner was/is being accused of participating in. Moreover that the phone records seized in violation of the 4th Amendment can not be used in the present case because not only were the conversations outside of the U.S. they were illicitly utilized by and through the radius limitations prescribed within the so called affidavits by the government agents. And the numerous violations of said usage that counsel never challenged these illicit cell phone violations by the government. See Carpenter v. United States, Brady v. Maryland, Jenks Material. Counsel's failure to adversarially challenge these numerous violations prejudiced petitioners opportunity at a fair trial.

6. Counsel failed to challenge the cell phone tapping, and illicit cell site locations and affidavits needed to retrieve cell communications to indictment. See Carpenter v. United States, (2015)

7. Counsel failed to adversarially challenge statements and testimony from government witnesses turned government agents. That there can exist no conspiracy between a government agent and a defendant. See Sears v. United States, (5th Cir.1965); United States v. Pennell, 737 F.2d 521-536-37(6th Cir.1984). Counsel failed instruct the court and jury about SEars Rule objection. This prejudiced petitioners opportunity at a fair trial.

8. Counsel ineffective for protecting defendant from the government illicit usages of uncorroborated, illicit information that defendant never had dominion or constructive possession of any drugs, ever. No proof beyond reasonable doubt was ever established concerning defendant.

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There were no drugs, or affidavits in support of drugs confiscated by or from defendant that there were none confiscated from him at all. See Strickland v. Washington, 466 U.S. 688, 690 (1984). Brady v. Maryland, 373 U.S. 83 (1963).

9. Counsel failed to establish a realistic defense strategy for defendant at trial. See Strickland v. Washington, 466 U.S. 688, 690 (1984); Descamps v. United States, June 17, 2013: Chain of evidence, chain of custody of drugs seized from perspective individuals and dwellings.

10. Counsel ineffective for having to many cumulative errors Taylor v Kentucky, 436 U.S. 478, n.15, 98 S.Ct. 1930, 56 L.Ed 2d 468 (1978). Strickland (1984).

ALSO/ SEE ALSO ATTACHED EXHIBIT PAGES SUBSTANSIATING  
all of petitioners allegations at law claims for relief

PG. 5

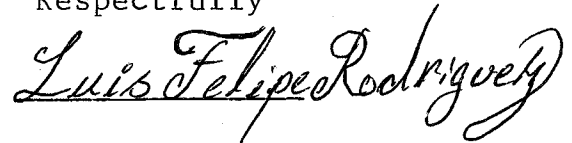
That the 4th, and 5th Amendment violations probable And Equal Protection under the law of the 14th Amendment. See also Strickland v. Washington, 466 U.S. 688, 690 (1984); Brady v. Maryland, 473 U.S. 83 (1963). That had this evidence been utilized at the outset of the case the outcome would have been different. Enough to undermine confidence in the prosecutions case. Not only was there no probable cause heard under oath in front of a Magistrate or Judge but the Indictment can not be relied upon as being a True Bill of Indictment. Moreover that challenges to the grand jury, its particulars and the voir dire arraignment should have been done by counsel to insure that the grand jury testimonies and the particulars were in order that challenges can and should be made within that seven day opportunity for dismissal according to Rule 6 and 6(f) and the violation of grand jury procedures as noted by and through grand jury particulars. Also the Supreme Court Announced New Case Law, Rule previously Unavailable that is applicable to appellants present case in Blakely v. Washington, 542 U.S. 296, 159 L.Ed 2d 403, 124 S.Ct. 2531 (2004): See also Carpenter v. United States, 819 F.3d 880 (CA2016) (en banc); United States v. Davis, (CA 2015) (138 S.Ct. 2227). Warrant did not sustain, sufficient information contained in affidavit or lack thereof for probable cause basis to search or seize evidence against defendant. Within this motion contains sufficient evidence to persuade this honorable court to have a hearing to resolve the matter at law, and has shown a substantial right as announced in the Supreme Court in Barefoot v. Estelle, 463 U.S. 880 (1983) and the aforementioned case law also announced also in this present brief. And that appellant does not have to show or require a showing that the (COA) will succeed but that reasonable jurist could debate whether (or for that matter, agree that) the petition should have been resolved in a different manner or that the issues presented were adequate to deserve encouragement to proceed further; Slack v. McDaniel, 529 U.S. [473] at 484 (2000) (quoting Barefoot supra at 893, n4) Thus the (COA) determination requires an overview of the claims in the Habeas petition and a general assessment of their merits.

[Footnote]

## VI.

understanding was reflected in contemporaneous court decisions and treaties. Supreme Court overruled Harris endorsing Apprendi which would erase the anomaly rule to mandatory minimum sentencing at issue in petitioner present case among the numerous cumulative 6th Amendment violations by defense counsel. Strickland at U.S. 466. Apprendi v. New Jersey, 530 U. S. 466. Therefore petitioner submits this present brief and Addendum in support of his allegations at law claims for relief in this present 2255 motion. Therefore petitioner avers that it would benefit the court to have an evidentiary hearing to resolve the matter at law to have a meaningful review of the claims presented to not arbitrarily dismiss the present applicable allegations at law to insure that justice is served in the finality of the ends of Justice. So Prays petitioner.

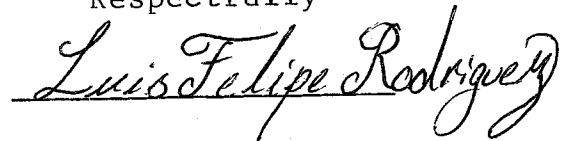
Respectfully



## CERTIFICATE OF SERVICE

ON THIS DAY OF November 28 2019. I SENT A COPY OF THIS MOTION TO THE CLERK OF THE COURT.

Respectfully



## ARGUMENT

## I.

Comes Now pro se petitioner Luis Felipe Rodriguez and request that this court recognize all of his claims for relief, allegations at law in conjunction with this present writ of habeas corpus and 2255 motion addendum to the present 2255 motion already before this court. That movant, pursuant to rule 52(1) is requesting that this court is required under law to "find the facts specifically and state its conclusions of law separately." See Rule 52(1) FRCP. And to advise the litigant of any factual basis for its decision and permit informed appellate review." Id. Rule 52. Also see; Bradley v. Milliken, 772 F.2d. 266, 272 (6th Cir. 1985); Gonzales v. Galvin, 151 F.3d. 526 (6th Cir. 1997). The Sixth Circuit has held that rule 52(a) applies to a district court's finding of fact and law in 2255 cases. See Guerro v. United States, 383 F.3d 409-411-12 (6th Cir. 2004).

Petitioner's writ raises a prima facie showing that the adversarial process in petitioner's case broke down and that the attorney was not functioning as an effective assistance of counsel as guaranteed by the 6th amendment of the constitution. See also Strickland v. Washington, 466 U.S. 668, 672 (1984); Moran v. Burbine, 475 U.S. 412 (1986); Michigan v. Jackson, 475 U.S. 625, 629 n.3 (1986). Moreover that the information provided by the government is based upon fraudulent, inaccurate, purported non-existent infamous drug crime. That the original indictment is inaccurate in violation of the indictment procedures, grand jury petit, grand jury voir dire and probable cause hearing procedures that initiate probable cause for arrest and indictment. See 28 U.S.C. 1862, Section 1861 Section 1867. Furthermore petitioner's counsel was ineffective for not challenging the indictment or attempting to quash it for any deficiencies within the indictment. In Section 1867 in criminal cases before the voir dire examination begins or within seven days after the defendant discovered, by the exercise of diligence, the grounds therefor; whichever is earlier, the defendant may move to dismiss the indictment or stay the proceedings against him on the grounds of substantial failure to comply with the provisions of this title in selecting the grand jury. Id. (emphasis supplied); Pursuant to 28 U.S.C. 1862.



## ARGUMENT CONTINUED

## II.

A person in federal custody can challenge any grand jury irregularities or the grand jury voir dire and particulars within that seven day period of time on the grounds of procedural irregularities. Or a person in federal custody. The defendant must allege a substantial failure to comply with 28 U.S.C. 1861 et. seq. By and through counsel's deficient performance and negligence to examine the indictment process and procedure. Prejudice petitioner's opportunity at a fair trial and a fair result in his trial and court proceedings. See Strickland v. Washington, 466 U.S. 688, 690 (1984);. The Fifth Amendment states that no person shall be held for capital or otherwise infamous crime unless on presentment of indictment by the grand jury. Sixth Amendment in pertinent parts to be informed of the nature and cause of the accusation or exposed to an eighth amendment violation of cruel and unusual punishment. That there exist no true bill of indictment applicable to petitioner's present case. That the elements of said indictment are not all included to convict or prosecute petitioner. Therefore the Judgement is void and movant should be immediately released and his conviction overturned and dismissed. See Davis v. United States, 417 U.S. 333, 342, 41 L. Ed. 2d 109, 116, 94 S.Ct. 2298 (1974); Sanders v. United States, 373 U.S. 110, L. Ed. 2d 148, 83 S.Ct. 1068 (1963); Kaufman v. United States, 394 U.S. 217 230, 22 L. Ed. 2d 227, 89 S.Ct. 1068 (1963).

Where the court held that the procedure in the above mentioned cases were defective in the grand jury and indictment was also defective and there exist no information supported by oath or affirmation and that there exist no probable cause hearing that was conducted in open court before a magistrate or judge to procure a true bill of indictment applicable to petitioner's case. Also the court appointed counsel was deficient in not protecting movant from a 4th and 5th Amendment violations of unreasonable searches, seizures due process, equal protection under the law that prejudiced petitioner's opportunity at a fair court proceeding, fair trial. Or a substantial defense at trial. See In re Winship, 397 U.S. 358, 354, 90, S.Ct. 1068, 25 L. Ed. 2d 368 (1970); Francis v. Franklin, 471 U.S. 307, 30-, 105 S.Ct. 1965, 85 L. Ed. 344 (1985).



## PAGE III ARGUMENT

That the court appointed lawyer allowed the prosecution to utilize illicit statements of unrelated crimes of co-defendants turned government agents by and through their uncorroborated testimonies, that counsel failed to subject to meaningful adversarial testing to impeach or challenge the illicit truthfulness of the statements being made against the defendant. See Brady v. Maryland, 373 U.S. 83 (1963); Frank v. Delaware, 438 U.S. 154, 98 S.Ct. (1978); Giglio v. United States, 405 U.S. 150 S.Ct. 1763 (1972); Naupe v. Illinois, 360 U.S. 264 S.Ct. 1173 (1959); Bagley v. United States, 473 U.S. 667 (1985). Furthermore the court appointed lawyer failed to file the adequate motions to receive the relevant Jencks Material setting forth the government's obligation to disclose prior information, statements of government witnesses for impeachment purposes applies to suppression hearings. See 18 U.S.C. 3500 (b) (2006) relates to statement of witnesses in possession of the U.S. government. That relate to subjects testified to by witnesses on (direct examination). Fed. R. Civ. Proc. 26.2(g) extending requirement to suppression hearing D.C. Super. Crim. Proc. 26(g) same Frank, Giglio, Brady, Bagley, Naupe, Agurs; Counsel's failure to protect the defendant against alleged statements prejudiced petitioners opportunity to a fair trial, fair court proceedings. This failure by defense counsel not challenge the trustworthiness of the witnesses against defendant and the failure to abstract critical testimony for defendant constituted ineffective assistance of counsel and to request a limiting instruction from the court about these fraudulent testimonies of the conspiracy theory the prosecution used as a strategy to convict defendant. Counsel's failure exposed movant to a 5th Amendment violation 6th and 14th Amendments to the Constitution of the United States. See also Arrowood v. Closen, 732 F.2d 1364 (7th Cir. 1984); Wayne v. Morris, 469 U.S. 908, 83 L.Ed.2d 218, 105 S.Ct. 282 (1984). Thus in the aforementioned litigation of ineffective assistance counsel claims and grand jury violations of the grand jury petit particulars of Section 18 U.S.C. 3045 and rules 3, 4, and 6 of the Federal Rules of Criminal Procedure (Federal Rules) and Fourth Amendment, is that the procedure in this case was defective "there exists no affidavit of criminal

## ARGUMENT IV.

complaint or information supported by oath or affirmation; and that no probable-cause hearing was conducted in open court before a magistrate judge. And that there exists no true bill of indictment signed by the foreperson upon review and completion of the grand-jury procedure, that must be adhered to by and through due process of the fifth amendment, equal protection under the law of the 14th amendment of the U.S. Constitution. The Statutory and Constitutional inadequacy of grand jury procedures prejudiced movant opportunity at a fair trial, a fair court proceeding exposing petitioner to an 8th amendment violation of cruel and unusual punishment, harsher punishment and a 6th amendment violation of ineffective assistance of counsel. See Strickland v. Washington, 466 U.S. 688, 690 (1984).

By and through counsels defective, negligent, non-adversarial challenges to the prosecutions case, prejudiced movants opportunity at a fair trial. Due process requires reversal of the conviction if there is a reasonable probability that, had the defense utilized this evidence the result of the proceeding would have been different. That a reasonable probability is a probability sufficient to undermine the outcome. United States v. Bagley, 473 U.S. 667 (1985); United States v. Agurs, 427 U.S. 97, 111 (1976). This standard applies whether the favorable evidence is directly exculpatory, or may be used to impeach government witnesses who testified at trial. Id. at 676 (inducements offered to informants who testified at trial).

See generally supra Chapter 5, Section II. This mitigating evidence that should have been addressed by counsel at trial and on appeal and those courts also. This violated movants equal protection under the law and his due process rights. That the trial can not be relied upon as having produced a just result. See Strickland v. Washington, 466 U.S. 688, 690 (1984); Brady v. Maryland,

373 U.S. 83 (1963). Also petitioner contends that the sentence exceeds the maximum allowed by law. That the 6th Amendment right to a jury trial should be the fact finder in adjudicating the maxi-

## ARGUMENT V.

minimum and mandatory minimum sentence for a crime is permissible under the Sixth Amendment. The Fourth Circuit confirmed, agreeing that at Alleynes, objection was foreclosed by Harris. Supreme Court held: The judgement is vacated and the case remanded. (1) Because the mandatory minimum sentence increased the penalty for a crime, any fact that increases the mandatory minimum is an element "that must be submitted to the jury." (2) Accordingly Harris is overruled. See pg. 10-16 Alleyn Supreme Court decision. See also Apprendi v. New Jersey 530 U.S. 466 concluded that any fact increasing the prescribed range of penalties to which a criminal defendant is exposed "are elements of the crime," id. at 484. Apprendis principle applies with equal force to facts increasing the mandatory minimum, alters the prescribed range of sentence to which a criminal defendant is exposed. Id. at 490. Because the legally prescribed range is the penalty affixed to the crime as in petitioners case the fact that the criminal statutes have long specified both floor and ceiling of sentence range is evidence that both define the legally prescribed penalty. Descamps v. United States, which clearly define the substantive way to apply these sentences, predicate offenses, and enhancement that preserve the jury's historic role as an intermediary between State and criminal defendants. United States v. Gaudin, 515 U.S. 506, 510-511. The Sixth Amendment concerns if the trial court went beyond merely identifying a prior conviction. That is why Shepard refused to permit sentencing courts to make a disputed determination about what facts must have supported a defendant's conviction. 544 U.S. at 25. The Sixth Amendment right to trial "by impartial jury" in conjunction with petitioners right to due process clause requires that each element of a crime be proven to the jury beyond a reasonable doubt. Gaudin, 515 U.S. at 510. There was a well established practice including in the indictment, and submitting to the jury, every fact that was the basis for imposing or increasing punishment. And this

## CONCLUSION

In conclusion the court appointed lawyer allowed the prosecution to utilize unrelated crimes of co-defendants turned government agents by and through their cooperation, with the government they became government agents also. See Sears v. United States, 343 U.S. 139, 142 (5th Cir. 1965); United States v. Pennell, 737 U.S. 521-37 (6th Cir. 1984). That there can exist no agreement between a government agent and an individual. Moreover that when an individual conspires to violate the law with one other person, and that person is a government agent there needs to be a non-affiliated party that has to have :

conspired with the defendant to convict. Therefore to prove the defendant guilty beyond a reasonable doubt. In petitioners case all of co-defendants were given inducements to cooperate and turn into government agents. See Brady v. Maryland, 373 U.S. 83 (1963): That counsel failed to challenge the government agents uncorroborated testimonies of unverified, non-existent schemes to reduce their own sentences in which they were caught by their own devices. And now they are attempting to alleviate their own duplicity in conjunction with placing any and all blame on the unassuming movant. Thus counsel's failure to protect petitioner against such erroneous statements of uncorroborated testimonies that have no standing or can not be substantiated of a relevant nature, or participation of or by petitioner and that there exists no conclusive evidence to substantiate his involvement in any way. That defense counsel should have recognized these numerous violations of movants 4th, 5th, 6th, 8th, 13th, and 14th Amendments to the U.S. Constitution. See also Strickland v. Washington, 466 U.S. 688, 690 (1984); Brady v. Maryland, 373 U.S. 83,

(1963). And in conclusion the court proceedings can not be relied upon as

having produced a just result. So Prays movant that this court vacate, set aside or correct in the interest of justice to prevent this ongoing miscarriage of justice to petitioners present case scenario. So Prays petitioner.

Respectfully

*Luis Felipe Rodriguez*

pg. 2

## CONTINUATION CONCLUSION

In the case of Veronica A. Martinez not testifying ~~where~~ there was possible exculpatory information available. The test is whether the questioning party exhibited bad faith by calling a witness sure to be unhelpful to its case. See confrontation clause of the 6th Amendment to the Constitution.

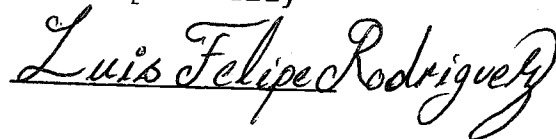
The right to a meaningful ~~confrontation~~ means more than beyond or being allowed to confront a witness physically. A criminal defendant states a violation of the confrontation clause by showing that he was prohibited from engaging in otherwise appropriate cross-examination ~~designed~~ to show a prototypically form of bias on the part of the witness, and thereby to expose to the jury the fact from which jurors could draw inferences relating to the reliability of the witness. Bias refers both to a witness personal bias for or against a party and to his or her motive to lie. Bias is always a proper subject of cross examination based upon witness bias. Thus to make cross-examination based upon witness bias effective (and thus satisfying the Sixth Amendment) defense counsel must make a showing and be permitted to expose the jury to the facts from which jurors could appropriately draw inferences relating to the reliability of the witness. A trial court ruling therefore infringes on the 6th Amendment right to confrontation when it precludes the defense from pursuing a line of examination that is necessary to enable the jury to fully evaluate the witness credibility. It is not enough that the possibility of bias be mentioned counsel must be permitted to present the nature and extent of the bias. There are three components of a true Brady Violation the disputed information be (1) favorable to the defense and or accused either because it is exculpatory or because it is impeaching (2) suppressed by the government "either willfully or inadvertently (3) material Stirckland, 527 U.S. at 281-82. Information is material when there is a reasonable probability that had the evidence been disclosed the result of the proceeding would have been different. United States v. Bagley, 473 U.S. 667, 882, 105 S.Ct. 337, 87 L.Ed. 2d 481 (1985)

A reasonable probability of a different result occurs when the suppression "undermines confidence in the outcome of the trial" Kyles, 514 U.S. at 434 (quoting Bagley 473 U.S. at 678) When the information is favorable, suppressed, and material, we must reverse irrespective of the good faith or bad faith of the prosecution. Brady, 373 U.S. at 87. The burden is on the defense to prove. Petitioners Brady claim succeeds because he can show that the information is material that the drugs seized were not his, and he did not have dominion possession, or constructive possession, of any drugs at any time. There were no search warrants of any dwellings that the drugs were found at or in, that had his name on them. This witness could testify to those and other material facts that could would change the outcome of the present case.

PG. 3 C.C.

Moreover there are numerous exculpatory information that can, will change petitioners case. See Carpenter v. United States, (2015) and that the information retrieved for search warrants by and through the use of cell phone, cell tower cites was illicitly obtained and utilized, that all of defendants conversations, were the product of calls from outside the United States in Mexico. Therefore can/not/should not have been used to convict or illicit warrants with no real or true affidavits to tape conversations, or tapp cell sights/cell phones. That petitioner never had the opportunity to retrieve said documents, transcripts, informations for trial use before or during. This information was not only withheld but suppressed from the defense. This Plain Error standard of review governs claims unattainable and petitioners case should be reversed and vacated. So PRAYS PETITIONER.

Respectfully



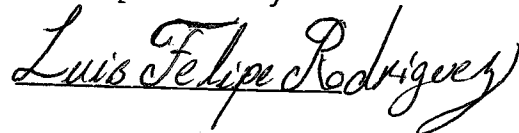
## CERTIFICATE OF SERVICE

AFFIDAVIT IN SUPPORT OF PRESENT 28 U.S.C. 2255/PURSUANT TO 28 U.S.C  
1746 SWORN AFFIDAVIT

## DECLARATION OF FACTS

I Luis Felipe Rodriguez being duly sworn and deposed say under penalty of perjury that I sign this document. That all of the litigation, information contained in this present brief are true and correct to the best of my knowledge and belief. I so Swear.

Respectfully





Case No: 2:14-cr-00139-AM-1

Luis Felipe Rodriguez

Reg# 63052-180

Attached

Exhibit

Pages



8-10-2019

Exhibits  
Start from  
this pg. and  
on.

# Physical Evidence Drug Quantities and Ghost dope quantities. From my Pre-Sentence Report:

- \* 366<sup>0.67</sup> grams of methamphetamine (actual) seized from Jaime Armando Crail.
- \* 1.98 grams of cocaine seized from Robert Villarreal.
- \* 14.17 grams of cocaine seized from "Ray"
- \* 29 grams of cocaine seized from Gildardo Martinez.
- \* 805<sup>0.1</sup> grams of cocaine seized from Santillanas Residence.
- \* 25 kilograms of cocaine which were transported by a witness for the defendant.  
\*(Jaime Armando Crail)\*
- \* 45<sup>0.36</sup> kilograms of marijuana which were transported by a witness for the defendant.

This specific drugs mentioned in trial were never actually caught in other word Ghost dope. And this were drug quantities supposedly transported by Jaime Armando Crail, the same witness for whom I was acquitted in regards to the meth count.

11-17-2019

## Co-Defendant Charges and Sentencing from my PSRs

Jesus Baldemar Santillana - DR-ER-00873(01) name on a one count indictment filed on May 23, 2012 in the Del Rio Division West District of Texas. His indictment charged him with Conspiracy to Possess with intent to distribute Cocaine in violation of 21 USC § 841(a)(1) & (b)(1)(A) and 856. He is a fugitive.

Gildardo Martinez - DR-12-ER-00974(01) sentenced November 18, 2013 to 60 months 5yrs supervised release for Conspiracy with intent to distribute more than 5 kilos of cocaine in violation of 21 USC 846. On January 27, 2016 Martinez, judgment was amended to 44 months imprisonment 5yrs supervised release.

Veronica Alongo Martinez - DR-12-CR-01327(01) was sentenced by the Court on October 16, 2013 to 63 month 5yrs supervised release for Conspiracy with intent to distribute more than 500 grams of cocaine in violation of 21 USC § 846. On February 11, 2016 Martinez sentence of imprisonment was reduced to 57 months.

Reynaldo Zamora DR-13-CR-00251(02) was sentenced December 10, 2015 to 41 months 3yrs supervised release

pg 2

11-12-2019

Co-defendant Charges and Sentencing  
Jaime Armando Craig - SA-12-CR-0100(01) was  
sentenced by the United States District  
Court in San Antonio Texas on November 29  
~~2012~~ 2012 to 108 months imprisonment and  
4 years Supervised release for possession with  
intent to Distribute methamphetamine in Violation  
of 21 USC § 841(a)(1). On May 4, 2015 Craig's  
sentence of imprisonment was later reduced  
to 97 months. On November 4, 2015, Craig's judgment  
was amended to 57 months imprisonment and  
4 years supervised release.

Concerning Jaime Armando Crail

Pg. #14 of my PBR.

February 8, 2012 San Antonio, Tx Police officers  
"Assisted" with an investigation and conducted  
a traffic stop on Jaime Armando Crail which  
resulted in the finding of 366.67 grams of  
meth (actual) under the driver seat additionally  
detectives located .45 caliber semi automatic  
handgun with magazine an holster and 9 rounds  
of ammo Crail was questioned and admitted  
he was going to make a narcotics delivery.  
It was determined the meth possessed by  
Crail was obtained from Rodriguez

Rodriguez, Luis  
Reg #: 63050-180  
USP Leagan  
PO Box 300  
Way Mart, PA. 18472

August 29, 2017

Javier Rojas  
Attorney at Law  
542 E. Main Street  
Fargo Pass, Texas 78853

U.S. v. Rodriguez, Luis  
Docket #: DR-14-CR-133(1)-AM

Dear M. Rojas:

Hope and pray that when the letter reaches your hands you're in the best of health. As of myself I'm physically fine thanks to the Lord my God, but a little concerned about the following for which I am respectfully requesting that you would send me copies:

- 1.) I would like to know the Respond the Court made in reference to granting me with attorney. Please,

2.) If you have submitted my Direct Appeal please send me copies of it so that I can go over it and if I wish for you to add any argument I will let you know. "Please, send me copies of the Motion or Direct Appeal."

3.) Please send me copies of my Trial transcripts, My sentencing minutes and my Judgment of commitment as soon as possible because I really need them here.

Very truly yours,

Luis Rodriguez

Rodriguez, Luis

Reg.#: 13052-186

RODRIGUEZ, Luis  
Reg#: 63052-180  
U.S.P. CANAAN  
P.O. Box 300  
Waymart, PA 18472

Oct 9, 2017

JAVIER R. RAYAS  
Attorney at Law  
P.O. Box 2001  
Engle Pass, Tx 78853

U.S. v. Luis Felipe Rodriguez  
Case No: 16-51368

Dear Mr. Rayas:

I would like to thank you for re-sending me copy of the motion you submitted on August 11, 2017. I Received my copies on or about September 21, 2017.

As you should know by now, My family and I have been trying to contact you long before you submitted the Direct appeal motion, wanting you to please send me copies of my trial transcript, P.S.R documents, Judgment of Conv., and Sentencing transcript in order for me to be able to give you my input and suggestions on the motion to file.

Please note, this is my second letter respectfully requesting the above mentioned documents. Thank you in advance for your help & understanding with this matter.

Sincerely,



Rodriguez, Luis  
Reg #: 63652-180  
USP Canaan  
P.O. BOX 300  
Waymart, PA 18472

August 3, 2018

Javier Rojas  
Attorney at Law  
P.O. BOX 2001  
Eagle Pass, TX 78852

U.S. v. Luis Felipe Rodriguez  
Case No: 16-513

Dear Mr. Rojas:

I have recently found out that my Direct Motion of appeal that you had submitted on August 1, 2017 has been denied. It is in my understanding, that now that my motion was denied, you Mr. Rojas are no longer obligated to continue working on my case. This is why I want to thank you for your services. I will no longer require your services and will be hiring a new counsel. I am asking that you please withdraw from my case.

Now, since I will continue with my motions regarding my case through another counsel, I request from you all documents concerning my case, which I am certain that you possess since you have been my lawyer all this time. I will mention this legal documents to you specifically. For I will remind you, I have ask before for most of this legal documents from you Mr. Rojas, for copies if I may correct myself, but I have received nothing of what I ask you for in a certified letter I sent to you on October, 2017. The only legal document concerning my case that I've received from you is the briefing of the direct motion of appeal. I thank you for advising me this last mentioning.

denied, I understand that you are no longer obligated to continue in my case. And I'm okay with that. As I have said in the beginning of this letter I will be hiring a new counsel to help me proceed with any and all other motions I will need to submit.

For this reason, I ask that you send me all the following legal documents: 1) First Indictment and Superseding Indictment, 2) Second Indictment and Second Superseding Indictment 3) All my Trial transcripts, 4) P.S.R documents 5) Judgement of Commitment 6) Sentencing transcripts. 6) Government's refusal of direct appeal motion. 7) Your motion refuting government's response 8) The Court's Decision and order.

Finally, I ask that you, being the God honoring ~~you~~ Man you said you'd be in my case. That you help me fight my life sentence, simply by sending me all this documents that I'm asking for. Thank you for everything and God Bless You.

Luis Rodriguez

CC1-District Court

CC2- Appeal Court

CC3-AUSA Joseph M. Gay, Jr.

LUIS FELIPE RODRIGUEZ  
Register Number: 63052-180  
USP CANAAN  
U.S. Penitentiary  
P.O. BOX 300  
Waymart, PA 18472

Javier Riojas  
Attorney at Law  
542 E. Main St  
P.O. BOX 2001  
Eagle PASS, Tx 78853

April 18 2019

Request for Attorney File

I am in the process of putting together a complete copy of my case records. I ask that you send everything to Leading Edge as soon as possible, including but not limited to: any and all discovery material, everything you have received from the court and government on my behalf, and everything you have filed on my behalf.

This should include but not limited to: law enforcement reports search warrants and affidavits in support thereof, complaints and supporting affidavits or statements, any and all other discovery material that you have received, if there were items that you did not receive but were reviewed on camera, I will need a brief description of that as well.

I also request transcripts of all trial/plea and sentencing proceedings, along with the judgment and commitment order.

I hereby give my permission to have all this material sent to:

Leading Edge  
4606 F.M. 1960 W.  
Suite 412A  
Houston, TX 77069

Your time and consideration in this pressing matter is greatly appreciated,

  
Luis Rodriguez

**MVM, Inc.**  
**(713) 693-3241**

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CASE No:	MD-11-0055
TARGET No:	830-758-9348
CALL:	0895
MONITOR:	S. KNOWLES
TRANSCRIBER:	M. RUBIO
INCOMING:	830-335-8891
SUBSCRIBER:	UNKNOWN
LOCATION:	UNKNOWN
DATE:	MARCH 23, 2012
TIME:	16:18:59 - 16:18:59
DURATION:	00:00:00
LANGUAGE:	SPANISH
PARTICIPANTS:	LUIS FELIPE RÓDRIGUEZ AKA VAQUERO

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2

**[BEGINNING OF MESSAGE]**

No viejon pero ya no deben tardar

NO "VIEJON" (OLD MAN) BUT IT SHOULD NOT BE MUCH LONGER.

**[END OF MESSAGE]**

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***(713) 693-3241***

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CASE No:	MD-11-0055
TARGET No:	830-758-9348
CALL:	1560
MONITOR:	M. RUBIO
TRANSCRIBER:	M. RUBIO
INCOMING:	830-335-8891
SUBSCRIBER:	UNKNOWN
LOCATION:	UNKNOWN
DATE:	APRIL 4, 2012
TIME:	16:04:37 - 16:04:37
DURATION:	00:00:00
LANGUAGE:	SPANISH
PARTICIPANTS:	LUIS FELIPE RODRIGUEZ AKA VAQUERO

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**[BEGINNING OF MESSAGE]**

A quien le marco para el resibo compita? Toy en la roka

WHO DO I CALL ABOUT THE RECEIPT BUDDY? I AM AT "LA ROKA" (THE ROCK).

**[END OF MESSAGE]**



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CASE No: MD-11-0055  
TARGET No: 830-758-9348  
CALL: 0821  
MONITOR: L. DAVILA  
TRANSCRIBER: M. RUBIO  
OUTGOING: 830-335-8891  
SUBSCRIBER: UNKNOWN  
LOCATION: UNKNOWN  
DATE: MARCH 23, 2012  
TIME: 12:59:44 - 12:59:44  
DURATION: 00:00:00  
LANGUAGE: SPANISH  
PARTICIPANTS: JESUS BALDEMAR SANTILLANA, AKA  
CHUY

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2

**[BEGINNING OF MESSAGE]**

Que fue compa todavia nada?

WHATs UP BUDDY, STILL NOTHING?

**[END OF MESSAGE]**

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[TELEPHONE RINGS]

[BEGINNING OF CONVERSATION]

CHUY: HEY, [U/I]?

VAQUERO: HEY, DUDE?

CHUY: HEY. NO, DUDE. IT CUT OFF RIGHT NOW. I AM OVER HERE, BY THE  
"SEGURO" (SOCIAL SECURITY). WHERE DO I MEET YOU AT?

VAQUERO: HERE... GO TO... COME OVER HERE. CAN YOU GO TOWARD WHERE  
THE... THE "MACRO" IS AT?

CHUY: YES.

VAQUERO: OR... OR DO YOU WANT TO COME DOWN... OR DO YOU WANT TO  
COME DOWN HERE BECAUSE I AM HERE, ABOUT TO ARRIVE TO... TO  
"BRAVO?"

CHUY: BUT OVER THERE, INTO THAT NEIGHBORHOOD OR WHAT?

VAQUERO: WELL, YOU CAME OVER HERE ALREADY, RIGHT?

CHUY: NO, I HAVE NOT GONE OVER THERE, DUDE.

VAQUERO: OKAY, LOOK. JUST LET ME [U/I] THE CAR THAT I HAVE FROM...  
FROM THERE, MOM'S AND I WILL DROP BY OVER THERE.

CHUY: ALL RIGHT. GIVE ME A CALL.

VAQUERO: YES, I WILL CALL YOU RIGHT NOW. RIGHT NOW... RIGHT NOW...  
JUST GIVE ME SOME TWENTY (20) MINUTES.

CHUY: ALL RIGHT.

VAQUERO: ALL RIGHT, *BYE*.

[END OF CONVERSATION]

[END OF CALL]

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2

[TELEPHONE RINGS]

[BEGINNING OF CONVERSATION]

VAQUERO: WHAT'S UP?

CHUY: I AM ABOUT TO ARRIVE. I AM ARRIVING ALREADY. DON'T WORRY. IT'S JUST THAT THE TRAIN GOT IN MY WAY.

VAQUERO: [STAMMERS] BUT ARE YOU COMING THROUGH OVER HERE, THE SIDE [STAMMERS] OF...

CHUY: NO. WAIT... WAIT ON THE SIDE OF... ON THE OTHER SIDE OF... OVER HERE AT, BY THE BLACK BRIDGE, BECAUSE I TURNED BACK ALREADY. [BEEP] [U/I].

[VOICES OVERLAP]

VAQUERO: IT'S BETTER IF...

CHUY: ARE YOU GOING TO COME OUT OVER HERE... OVER HERE BY THE CITI MALL [PH]?

VAQUERO: YES, THAT'S RIGHT. I AM GOING TO COME OUT BY... YEAH BY THE... YES, YES... [ASIDE: BY WHERE?]

UM: [BACKGROUND: BY THE FOUNTAIN.]

VAQUERO: BY THE FOUNTAIN. OVER HERE BY... BY... BY THE BLACK BRIDGE. YOU GO ALL THE WAY DOWN THE STREET FOR [U/I].

CHUY: OH, ALL RIGHT. YES, YES. WELL, THE ONE THAT COMES OVER HERE TO... TO THE OXXO AND EXTRA.

VAQUERO: THAT'S RIGHT. BEFORE... BEFORE YOU ARRIVE TO THE EXTRA, THERE IS... THERE IS A CHICKEN PLACE.

CHUY: OKAY.

[VOICES OVERLAP]

VAQUERO: A CHICKEN PLACE THAT IS CALLED POLLO MONTERREY. THERE, I AM GOING TO ARRIVE THERE.

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3

CHUY: OH, ALL RIGHT. YES. YES, YES.

[VOICES OVERLAP]

VAQUERO: WE WILL SEE EACH OTHER THERE RIGHT NOW.

CHUY: ALL RIGHT.

VAQUERO: *BYE.* [ASIDE: U/I.]

[END OF CONVERSATION]

[END OF CALL]

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CASE No:	MD-11-0055
TARGET No:	830-758-9348
CALL:	1596
MONITOR:	B. TORRES
TRANSCRIBER:	J. DORIA
INCOMING:	830-335-8891
SUBSCRIBER:	UNKNOWN
LOCATION:	UNKNOWN
DATE:	APRIL 4, 2012
TIME:	23:09:49 - 23:10:44
DURATION:	00:00:55
LANGUAGE:	SPANISH
PARTICIPANTS:	LUIS FELIPE RODRIGUEZ, AKA VAQUERO JESUS BALDEMAR SANTILLANA, AKA CHUY

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[BEGINNING OF CONVERSATION]

VAQUERO: WHAT'S UP?

[BACKGROUND: VOICES]

CHUY: HEY I WAS CALLING YOU LISTEN, CAN YOU COME OVER HERE, TO MY MOTHER'S? WHERE YOU CAME LAST TIME?

VAQUERO: YEAH, NO... I DON'T REMEMBER WHERE. WHERE... WHERE I WENT TO LAST TIME? [PAUSE] HEY? [PAUSE] DUDE? HELLO? [PAUSE] HEY?

CHUY: YES?

VAQUERO: CAN YOU HEAR ME?

CHUY: [STAMMERS] AT "SCOTT" [PH]...

[PAUSE]

VAQUERO: HEY? [PAUSE] DUDE.

[VOICES OVERLAP]

CHUY: HELLO?

VAQUERO: DUDE?

CHUY: YES?

VAQUERO: LOOK. YOU SAID...

[VOICES OVERLAP]

CHUY: OLD MAN.

[VOICES OVERLAP]

VAQUERO: ARE YOU THERE BY THE BLACK BRIDGE? [PAUSE] HEY? [PAUSE] OH, [U/I].

[END OF CONVERSATION]



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3

[END OF CALL]

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CASE No:	MD-11-0055
TARGET No:	830-758-9348
CALL:	1598
MONITOR:	B. TORRES
TRANSCRIBER:	J. DORIA
INCOMING:	830-335-8891
SUBSCRIBER:	UNKNOWN
LOCATION:	UNKNOWN
DATE:	APRIL 4, 2012
TIME:	23:27:18 - 23:28:29
DURATION:	00:01:11
LANGUAGE:	SPANISH/ENGLISH
PARTICIPANTS:	LUIS FELIPE RODRIGUEZ, AKA VAQUERO JESUS BALDEMAR SANTILLANA, AKA CHUY UNIDENTIFIED MALE (UM)

**MVM, Inc.**  
**(713) 693-3241**

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CASE No:	MD-11-0055
TARGET No:	830-758-948
CALL:	1599
MONITOR:	B. TORRES
TRANSCRIBER:	J. DORIA
OUTGOING:	830-335-8891
SUBSCRIBER:	UNKNOWN
LOCATION:	UNKNOWN
DATE:	APRIL 4, 2012
TIME:	23:32:56 - 23:33:39
DURATION:	00:00:43
LANGUAGE:	SPANISH/ENGLISH
PARTICIPANTS:	JESUS BALDEMAR SANTILLANA, AKA CHUY  LUIS FELIPE RODRIGUEZ, AKA VAQUERO

*MVM, Inc.*  
*(713) 693-3241*

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2

[TELEPHONE RINGS]

CHUY: [ASIDE: "ANTHONY BOURDAIN" [PH]. IT IS ALWAYS PACKED OKAY?]

[BACKGROUND: FEMALE VOICE]

[BEGINNING OF CONVERSATION]

VAQUERO: HELLO?

CHUY: LOOK OLD MAN, I AM HERE AT THE OXXO BECAUSE I AM NOT GOING TO... AT THE OXXO THAT IS IN FRONT OF CORONA.

VAQUERO: UH...

CHUY: WHERE ARE YOU AT? [U/I].

[VOICES OVERLAP]

VAQUERO: AT CORONA'S.

CHUY: YES, YES. AT THE EXTRA... THE EXTRA.

VAQUERO: OH, *OKAY, OKAY*. ALL RIGHT. I WILL DROP BY RIGHT NOW.

CHUY: I AM HERE, PARKED. I AM ALREADY WAITING FOR YOU.

VAQUERO: OKAY.

[END OF CONVERSATION]

[END OF CALL]

1 A Yes, sir.

2 Q And -- and you -- you also testified that between December  
3 of 2011 and February of 2012 you made six narcotic deliveries;  
4 is that correct?

5 A Yes, sir.

6 Q And isn't it true that you have never been charged with any  
7 criminal offense for that conduct?

8 A Yes, sir.

9 Q And you also testified about taking money that -- that was  
10 proceeds of drugs and taking it to Mexico; is that correct?

11 A Yes, sir.

12 Q And it -- isn't it also true that you were never charged  
13 for that conduct?

14 A Yes, sir.

15 Q And one of those trips that you did declare involved  
16 \$275,000; is that correct?

17 A What was that, sir?

18 Q One of the pro -- load -- money -- proceeds that you took  
19 to Mexico, was -- was it -- it was \$275,000; is that --

20 A Quarter -- quarter of a million dollars, sir. That went --  
21 that went into Piedras Negras. It was a receipt, sir.

22 Q And -- and you didn't declare it; is that correct?

23 A No, sir, I didn't.

24 Q And you were not charged with bulk cash smuggling or money  
25 laundering; is that correct?

1 A That's correct, sir.

2 Q Isn't it also true that on May 22nd you pled guilty to  
3 possession with intent to distribute meth? Is that correct?

4 A Yes, sir.

5 Q And isn't it true that when you pled guilty, you entered  
6 into a plea agreement? Is that correct?

7 A Yes, sir.

8 Q And isn't it true that in the plea agreement the government  
9 recommended -- they -- they agreed to recommend the bottom end  
10 of the guideline that was calculated?

11 A What do you mean?

12 Q Low end of the guideline?

13 A The low end, yes.

14 Q Isn't it also true that on Page Ten of that plea -- plea  
15 agreement, it had a substantial assistance provision?

16 A A what, sir?

17 Q A cooperation provision.

18 A Yes, sir.

19 Q And isn't it also true that the agreement provided that  
20 even after sentencing, the government would recommend that your  
21 sentence be lowered under Rule 35? Correct?

22 A On my plea agreement?

23 Q Yes.

24 A Nope. I didn't see that in my plea agreement.

25 (BRIEF PAUSE)

JURY TRIAL, DAY ONE OF TWO, 9/2/2015

1 Q (By MR. RIOJAS) May I approach the witness, Your Honor?

2 THE COURT: You may.

3 Q (By MR. RIOJAS) Do you recognize this to be your plea  
4 agreement?

5 A Yes, sir.

6 Q Turning to Page 11 of your plea agreement --

7 A "If the cooperation is complete --"

8 THE COURT: Okay, speak loudly.

9 THE WITNESS: "If the cooperation is complete, then  
10 subsequent to sentencing the government agrees to consider  
11 whether such cooperation qualifies as substantial assistance,  
12 pursuant to FRCRP 35 (b) under the policy of the United States  
13 Attorney for the Western District of Texas on the filing of a  
14 motion for reduction of sentence within the..."

15 Q (By MR. RIOJAS) So -- so it does have such a provision; is  
16 that correct?

17 A Can you repeat what you just said?

18 Q It -- it does have such a provision. You just read it,  
19 correct?

20 A Yes.

21 Q And it -- it -- isn't it also true that throughout the time  
22 that you were involved in -- in this activity you were using  
23 oxycodone?

24 A Not oxycodone, sir. Hydrocodone. They're called "narcos."  
25 Hydrocodone.



ES

Elizabeth

1 (BRIEF PAUSE)

2 Q (By MR. RIOJAS) Do you -- do you -- do you recall signing  
3 a -- a plea agreement?

4 A I signed something like that -- such as what?

5 Q Where you agreed to plead to the -- Count One, conspiracy  
6 to possess with intent to distribute cocaine?

7 A Yes.

8 Q And before you signed it, you read a factual basis,  
9 correct? It -- it was read to you, correct?

10 A Yes.

11 Q And in that -- in that plea agreement, you admitted that  
12 you handled cocaine as part of the conspiracy and delivered  
13 cocaine to further the conspiracy?

14 A Yes.

15 Q And it -- it involved more than five kilograms, correct?

16 A What I -- what I did was not.

17 Q But that's what you were charged with, correct?

18 A Yes.

19 Q And -- and when you signed that plea agreement, you also  
20 agreed to cooperate with the government, correct?

21 A Yes.

22 Q And that's why you're here today?

23 A Well, yes.

24 (BRIEF PAUSE)

25 MR. RIOJAS: May I have a second, Your Honor?

U.S. Department of Justice  
Drug Enforcement Administration

*Tel. 01920*

**REPORT OF INVESTIGATION**

(Continuation)

4. Page 4 of 6	1. File No. MD-11-0055	2. G-DEP Identifier YG1J
5. Program Code HID100	3. File Title DE LUNA-Aguilar, Jose Guadalupe	
		6. Date Prepared 08-30-2012

19. SA Martinez-Lopez asked [REDACTED] if [REDACTED] had knowledge of Elizabeth meeting with J.SANTILLANA after the May 24, 2012 raids. [REDACTED] stated that [REDACTED] knew that she had met with him on one occasion and then broke off all contact with his family.
20. SA Martinez-Lopez asked [REDACTED] about [REDACTED] relationship with Veronica ALONZO-Martinez. [REDACTED] stated that [REDACTED] did not trust her and believed that she would turn [REDACTED] in after the raids.
21. [REDACTED] further stated that [REDACTED] had instructed [REDACTED] to stop communicating with ALONZO-Martinez.
22. SA Martinez-Lopez asked [REDACTED] if [REDACTED] had knowledge of ALONZO-Martinez meeting with J.SANTILLANA after the May 24, 2012 raids.
23. [REDACTED] stated that J.SANTILLANA was in love with ALONZO-Martinez and he seen the two of them on several occasions at his mother's house in Piedras Negras, Mexico.
24. SA Martinez-Lopez asked [REDACTED] if [REDACTED] had knowledge of J.SANTILLANA's whereabouts on the day of the raids. [REDACTED] stated that J.SANTILLANA had been at the home of one of ALONZO-Martinez' brothers.
25. [REDACTED] further stated that J.SANTILLANA hid in a utility closet during the raid and was later provided with a Red Dodge Pickup, belonging to a brother of ALONZO-Martinez, to flee the area.
26. [REDACTED] stated that J.SANTILLANA was still driving the same pickup in Piedras Negras, Mexico.

DEA Form - 6a  
(Jul. 1996)

DEA SENSITIVE  
Drug Enforcement Administration

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U.S. Department of Justice  
Drug Enforcement Administration

*Zamora*  
*Cooperating*

## REPORT OF INVESTIGATION

Page 1 of 2

1. Program Code HID100	2. Cross File Related Files <input checked="" type="checkbox"/> MD-11-0055 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	3. File No. MD-12-0068	4. G-DEP Identifier QOM11
5. By: Robert Duran, TFO At: Eagle Pass RO		6. File Title RODRIGUEZ, Luis Felipe	
7. <input type="checkbox"/> Closed <input type="checkbox"/> Requested Action Completed <input type="checkbox"/> Action Requested By:		8. Date Prepared 07-10-2012	
9. Other Officers: TFO Ricardo Riojas			

10. Report Re: Interview of Reynaldo ZAMORA and Acquisition of Exhibit N-2

DETAILS

1. Reference is made to all reports of investigation under this case file title and number.

2. On July 10, 2012, at approximately 1:30 pm, in Del Rio, Texas, Reynaldo ZAMORA (hereafter referred to as Cooperating Defendant/CD) was interviewed regarding his/her knowledge and/or participation in a money laundering operation taking place in Del Rio and Eagle Pass, Texas. The following is a non-verbatim translation summary of said interview.

3. The CD was shown a photo line-up, Exhibit N-2, which contained the photo of RODRIGUEZ, Luis Felipe. The CS was able to identify RODRIGUEZ by initialing and placing a date next to the photo. The CS stated that he/she knows him as "H". Agent's Note: DEA Agents previously identified RODRIGUEZ as using "H" as one of his aliases.

4. The CD also stated that RODRIGUEZ is the money laundering boss and that the CD had been working for him.

CUSTODY OF EVIDENCE

1. Exhibit N-2: Identified as a photo line-up containing the photo of RODRIGUEZ, Luis Felipe. On July 10, 2012, the CD was shown Exhibit N-2 during a interview in Del Rio, Texas, as witnessed by TFO Ricardo Riojas

11. Distribution: Division	12. Signature (Agent) Robert Duran, TFO <i>Robert Duran</i>	13. Date 07-10-2012
District	14. Approved (Name and Title) Armando Ramirez Jr., RAC <i>Armando Ramirez Jr.</i>	15. Date 07-13-2012
Other SARI		

DEA Form - 6  
(Jul. 1996)

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Drug Enforcement Administration

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Pomras

Hough, Candace (USATXW)

From: Hulings, Jay (USATXW)  
Sent: Monday, August 06, 2012 8:45 AM  
To: Hough, Candace (USATXW)  
Subject: FW: DEA 6 (CS Initial Debriefing)

Categories: Pending - URGENT

Please open a matter on Luis Felipe Rodriguez and add this email to the file. It's related to the Santillana case, so it may be best to add it to that matter. Thx.

From: Duran, Robert [mailto:Robert.Duran@usdoj.gov]  
Sent: Tuesday, July 31, 2012 4:58 PM  
To: Hulings, Jay (USATXW); Martinez-Lopez, Daniel (DEA-US)  
Subject: DEA 6 (CS Initial Debriefing)

DRUG RELATED INFORMATION

1. Reference is made to all reports of investigation under this case file title and number.
2. On July 26, 2012, at approximately 10:55 am, in Del Rio, Texas, DEA Confidential Source CS XX-XXXXX, hereafter referred to as the CS, was debriefed regarding his/her knowledge of drug smuggling and money laundering activities taking place in Del Rio and Eagle Pass, Texas. The following is a non-verbatim translation summary of said debriefing.
3. The CS stated that he/she had a telephonic conversation with "H", on July 06, 2012. Agent's Note: DEA Agents previously identified Luis Felipe RODRIGUEZ as using "H" as one of his aliases. RODRIGUEZ informed the CS that he suspected [REDACTED] had done something wrong with the compartment in the Mazda, and that's the reason the load of money was lost (seized by law enforcement).
4. RODRIGUEZ informed the CS where the compartment was located and how to open it in the Mazda. RODRIGUEZ informed the CS that the compartments were almost always located near the engine so that the heat of the engine would help hide the compartment.
5. RODRIGUEZ informed the CS, that the compartments were built in such a way that it should only take the person 15 minutes to load and unload.
6. RODRIGUEZ then asked the CS to recruit a female to accompany the CS in the vehicle when the CS smuggled drugs and money. RODRIGUEZ stated that a female companion would make for a better cover story to get through the U.S. Border Patrol check points.

U.S. Department of Justice  
Drug Enforcement Administration

# REPORT OF INVESTIGATION

Page 1 of 4

1. Program Code HID100	2. Cross File <input checked="" type="checkbox"/> CS-12-142580 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	3. File No. MD-12-0068	4. G-DEP Identifier QOM1I
5. By: Robert Duran, TFO At Eagle Pass RO		6. File Title RODRIGUEZ, Luis Felipe	
7. <input type="checkbox"/> Closed <input type="checkbox"/> Requested Action Completed <input type="checkbox"/> Action Requested By:		8. Date Prepared 11-30-2012	
9. Other Officers: RAC Armaondo Ramirez, Jr., TFO Ricardo Riojas, TFA Pedro Govea and SA Daniel Martinez			
10. Report Re: CS Debriefing of Debrief of CS-12-142580			

## DRUG RELATED INFORMATION

- Reference is made to all reports of investigation under this case file title and number.
- On October 11, 2012, in Del Rio, Texas, DEA Confidential Source CS-12-142580, hereafter referred to as the CS, was debriefed regarding his/her knowledge of drug smuggling and money laundering activities taking place in Del Rio and Eagle Pass, Texas. The following is a non-verbatim translation summary of said debriefing.
- TFA Robert Duran and TFO Ricardo Riojas met with the CS to initiate recorded telephone calls between the target of the investigation (Luis Felipe RODRIGUEZ) and the CS.
- On the same date, Agents were informed by the CS that he/she (CS) had damaged the cell phone by accidentally getting the phone wet. The CS informed Agents that he/she had been caught in the rain while walking home. TFA Duran then asked the CS if he/she still had the SIM card, to which the CS stated that he/she was still in possession of the SIM card and that it had not been damaged.
- At that time TFA Duran requested that the CS retrieve the SIM card and for the CS to place the SIM card in another cellphone. TFA Duran then instructed the CS to make a phone call in the presence of the Agents. The CS' first telephone call was made to TFA Duran's phone. When TFA Duran

11. Distribution: Division	12. Signature (Agent) Robert Duran, TFO	13. Date 11-30-2012
District	14. Approved (Name and Title) /s/ Armando Ramirez Jr., RAC	15. Date 12-12-2012
Other SARI		

DEA Form - 6  
(Jul. 1996)

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## REPORT OF INVESTIGATION

1. File No. MD-12-0068		3. File Title RODRIGUEZ, Luis Felipe		6. Date Prepared 11-30-2012	
2. G-DEP Identifier QOM11					
		4. Page 3 of 4		5. Program Code HID100	

(Continuation)

10. TFA Duran then informed the CS that he/she was willing to provide him with an ATT cellphone. Shortly after the meeting took place TFA Duran residence where the SIM card was located. Once at the residence, the CS was given 5 minutes to locate the SIM card. Approximately 10 minutes later the CS informed the Agents that he/she could not locate the SIM card. The CS looked visibly troubled and was vomiting while attempting to inform the Agents. The CS was then informed that he/she needed to locate the SIM card and that RAC Ramirez would be given 45 minutes to locate the SIM card. The CS was informed that he/she the Agents once the card had been located.

11. On the same date the CS informed Agents that the SIM card had been lost by another family member he/she was currently residing with. The CS was informed by TFA Duran that he/she needed to provide Agents with the license plate number of the vehicle currently being used to drive loads of drugs and money for the target. The CS stated that he/she would and that he/she would inform Agents of any contact he/she had with the target. RAC Ramirez was apprised of what had transpired with the CS.

12. On October 15, 2012, the CS met with Agents and informed them that he/she was sure the SIM card was lost and that he/she had not been able to find the license plate number to the vehicle currently being used by the driver smuggling for the target.

13. On October 18, 2012, the CS was advised by TFA Duran that due to his/her failure to fulfill his/her contractual agreement with the DEA, the CS was being deactivated. TFA Duran asked the CS if he/she understood why his/her (CS') relationship with the DEA was being terminated, to which the CS stated yes. This meeting was witnessed by TFA Pedro Govea.

## NONDRUG RELATED CRIMINAL INFORMATION

1. When asked, the CS did not provide any non-drug related criminal information.

## FINANCIAL INFORMATION

DEA Form - 6a  
(Jul. 1996)

DEA SENSITIVE

Drug Enforcement Administration

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United States District Court  
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